

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
RENO, NEVADA

6 EDWARD BRANFORD GIBSON and NICOLE )  
LYNETTE GIBSON, Husband and Wife, )  
7 Plaintiffs, )  
8 )  
9 vs. )  
10 )  
11 FIELDSTONE MORTGAGE COMPANY; )  
STEWART TITLE COMPANY; QUICKEN )  
LOANS INC.; TITLE SOURCE, INC; )  
MORTGAGE ELECTRONIC REGISTRATION )  
SYSTEMS, INC. [MERS]; RECONTRUST )  
COMPANY, N.A.; BAC HOME LOANS )  
SERVICING, LP; FIRST AMERICAN )  
TITLE INSURANCE COMPANY; and DOES )  
1-25 CORPORATIONS, DOES and ROES )  
1-25 Individuals, Partnerships, or )  
anyone claiming any interest to )  
the property described in this )  
action, )  
16 )  
Defendants. )  
17 )

19 On October 12, 2011, the Court entered an Order (#17) granting  
20 Defendants' Motion to Dismiss (#7), granting Plaintiffs leave to  
21 amend the first, second, sixth, seventh, eighth, and tenth claims  
22 for relief set forth in the original complaint. The Court further  
23 ordered that Plaintiff would have twenty-one (#21) days within which  
24 to file an amended complaint. Plaintiffs have failed to do so.

25 On October 28, 2011, Plaintiffs filed a Motion to Add  
26 Indispensable Party and Extend Time to Amend (#21). Defendants  
27 responded (#23) on November 6, 2011, and Plaintiffs replied (#25) on  
28 November 7, 2011.

1       Besides responding to Plaintiffs' motion, on November 6, 2011,  
2 Defendants filed a Motion to Strike (#22) Plaintiffs' Motion to Add  
3 Indispensable Party and Extend Time to Amend (#21). Plaintiffs  
4 filed their Opposition to Motion to Strike (#24) on November 7,  
5 2011, and Defendants filed their Reply (#27) on November 17, 2011.

6       Plaintiffs should have submitted a proposed amended complaint  
7 on or before November 2, 2011. Plaintiff offers no excuse for  
8 having failed to comply with the Order of the Court (#17). However,  
9 the Court will grant Plaintiff additional time within which to file  
10 an amended complaint. Absent a showing of extraordinary  
11 circumstances, we do not anticipate granting Plaintiffs any further  
12 extensions in the proceedings.

13       **IT IS, THEREFORE, HEREBY ORDERED** that Plaintiffs' Motion to  
14 Extend Time to Amend (#21) is **GRANTED**. Plaintiffs shall have  
15 fourteen (14) days within which to file an amended complaint.

16       **IT IS FURTHER ORDERED** that Plaintiffs' Motion to Add  
17 Indispensable Party (#21) is **DENIED** without prejudice because there  
18 is currently no complaint in this case. If Plaintiffs wish to add  
19 parties, they should include them in the amended complaint.

20       **IT IS FURTHER ORDERED** that Defendants' Motion to Strike (#22)  
21 is **DENIED** as moot.

22  
23  
24 DATED: January 3, 2012.

25   
26 UNITED STATES DISTRICT JUDGE  
27  
28